

ORDINANCE NO. 20090423-082

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5701 WEST SLAUGHTER LANE FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from community commercial-conditional overlay (GR-CO) combining district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2009-0014, on file at the Neighborhood Planning and Zoning Department, as follows:

A 23.0294 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5701 West Slaughter Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The maximum height of a building or structure is 40 feet above ground level.

B. The following uses of the Property are prohibited uses:

Automotive sales
Automotive washing (of any type)
Service station
Drop-off recycling collection facility

Automotive rentals
Automotive repair services
Pawn shop services

C. The following uses are prohibited uses for a single occupant of any lease space over 52,500 square feet:

Bed & breakfast residential (Group 1)	Bed & breakfast residential (Group 2)
Arts & craft studio (limited)	Business or trade school
Business support services	Commercial off-street parking
Communications services	Consumer convenience services
Exterminating services	Financial services
Funeral services	General retail sales (convenience)
General retail sales (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Off-site accessory parking	Outdoor entertainment
Outdoor sports and recreation	Personal improvement services
Personal services	Pet services
Plant nursery	Restaurant (general)
Restaurant (limited)	Special use historic
Theater	Custom manufacturing
Club or lodge	College and university facilities
Communication service facilities	Community recreation (private)
Community recreation (public)	Counseling services
Cultural services	Day care services (commercial)
Day care services (general)	Day care services (limited)
Group home, Class I (general)	Group home, Class I (limited)
Guidance services	Hospital services (limited)
Hospital services (general)	Local utility services
Private primary educational facilities	Private secondary education facilities
Public primary educational facilities	Public secondary education facilities
Religious assembly	Residential treatment
Safety services	Telecommunication tower
Urban farm	Medical offices (exceeding 5000 sq.ft. of gross floor area)

D. Food sales use is a prohibited use for a single occupant of any lease space over 105,000 square feet

E. Service station use is prohibited as an accessory use to a commercial use.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 4, 2009.

PASSED AND APPROVED

_____ April 23 _____, 2009 §
 §
 §

 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 Shirley A. Gentry
 Shirley A. Gentry
 City Clerk

David Allan Smith
City Attorney

EXHIBIT "107"

23.0294 Acres
Tract 107
Page 1

EXHIBIT A

Samuel Hamilton Survey No. 16
August 14, 1996
96519.10

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 23.0294 acre tract of land out of the Samuel Hamilton Survey No. 16, Travis County, Texas, being a portion of that certain 538.5087 acre tract of land conveyed to Circle C Land Corp. by deed recorded in Volume 11620, Page 1126 of the Deed Records of Travis County, Texas; said 23.0294 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2" iron rod found for a point of tangency in the southerly right of way line of Slaughter Lane (120.00 feet wide right-of-way) as described in deed recorded in Volume 9457, Page 80 of the Deed Records of Travis County, Texas, and also being an "ell" corner in the northwesterly line of that 285.4585 acre tract of land conveyed to the City of Austin by deed recorded in Volume 9495, Page 281 of the Deed Records of Travis County, Texas;

THENCE, N76°31'41"E, with the southerly right of way line of Slaughter Lane, a distance of 250.02 feet to a 1/2" iron rod set for the point of curvature of a curve to the right;

THENCE, northeasterly, continuing with the southerly right-of-way line of Slaughter Lane, along said curve to the right having a radius of 2440.00 feet and a central angle of 24°14'06" (chord bears N88°38'47"E, 1024.39 feet) for an arc distance of 1032.07 feet to a point of compound curvature at the intersection with the westerly right-of-way line of State Highway Loop 1 (Mo-Pac) from which a found highway right-of-way monument bears S58°26'34"W, 0.36 feet;

THENCE, southeasterly with the westerly right-of-way line of State Highway Loop 1 (Mo-Pac), along a curve to the right having a radius of 50.00 feet and a central angle of 110°01'25" (chord bears S24°18'39"E, 81.93 feet) for an arc distance of 96.01 to a point of tangency;

THENCE, S30°42'03"W, continuing with the westerly right-of-way line of State Highway Loop 1 (Mo-Pac, variable width right-of-way) at 0.07 feet passing a found highway right-of-way monument for a total distance of 175.66 feet to a highway right-of-way monument found for an angle point;

THENCE, S23°06'22"W, continuing with the westerly right-of-way line of State Highway Loop 1 (Mo-Pac), a distance of 606.18 feet to a highway right-of-way monument found for an angle point;

THENCE, S27°48'51"W, continuing with the westerly right of way line of State Highway Loop 1 (Mo-Pac) a distance of 284.70 feet to a 1/2" iron rod set at the intersection with the aforesaid northwesterly line of that 285.4585 acre tract, from which a found 1/2" iron rod bears S27°48'51"W, 215.94 feet;

THENCE, with the northwesterly line of said 285.4585 acre tract, being the southerly line of the said 538.5087 acre tract, the following four (4) courses:

- 1) N82°20'26"W, a distance of 40.62 feet to a 1/2" iron rod found for an angle point;
- 2) N66°57'25"W, a distance of 922.12 feet to a 1/2" iron rod found at an "ell" corner;

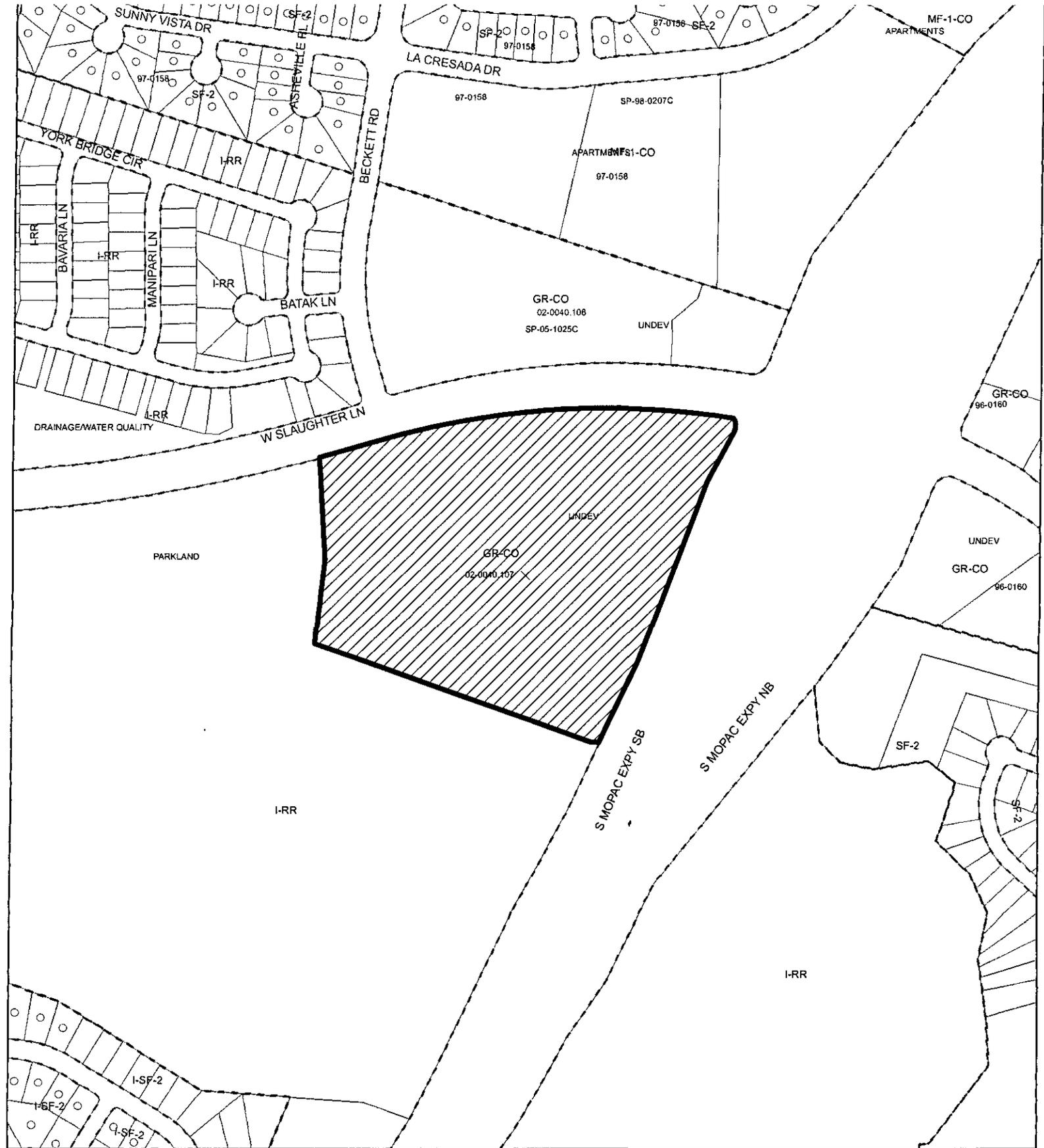
- 3) N09°51'57"E, a distance of 261.72 feet to a 1/2" iron rod found for an angle point;
- 4) N00°35'38"E, a distance of 328.44 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 23.0294 acres of land area.

That I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 14th day of August, 1996.




GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING EXHIBIT B

ZONING CASE#: C14-2009-0014
 ADDRESS: 5701 W SLAUGHTER LANE
 SUBJECT AREA: 23.0294 ACRES
 GRID: C16
 MANAGER: W. RHOADES



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

OPERATOR: S. MEEKS